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7 UNITED STATES DISTRICT COURT  
8 NORTHERN DISTRICT OF CALIFORNIA  
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10 BOARD OF TRUSTEES OF THE SHEET METAL ) NO. C 07 3204 PJH  
11 WORKERS, et al., )  
12 vs. ) EX PARTE APPLICATION FOR  
13 MTB INC., a California corporation ) ORDER TO CONTINUE CASE  
14 ) MANAGEMENT  
15 Defendant. ) CONFERENCE

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16 Plaintiffs, BOARD OF TRUSTEES OF THE SHEET METAL WORKERS  
17 HEALTH CARE PLAN OF NORTHERN CALIFORNIA, SHEET METAL WORKERS PENSION  
18 TRUST OF NORTHERN CALIFORNIA, SHEET METAL WORKERS LOCAL 104 VACATION,  
19 HOLIDAY SAVINGS PLAN, ANTHONY ASHER, TRUSTEE, hereby apply ex parte  
20 for an order to continue the Case Management Conference from September  
21 27, 20076 to November 29, 2007.

22 This ex parte application is based upon the Declaration of  
23 Attorney Michael J. Carroll filed herewith.

24 Dated: September 20, 2007

25 Respectfully submitted,  
26 ERSKINE & TULLEY

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28 By: /s/ Michael J. Carroll  
Michael J. Carroll  
Attorneys for Plaintiffs